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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David A. Trueba & Shrikant U. Kulkarni

Serial No.: 10/708,422

Filing Date: March 2, 2004

Title: *Control Method For Process Of Removing Permanganate Reducing Compounds From Methanol Carbonylation Process*

§ Group Art No.: 1625

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The Examiner alleges that the two groups of claims are distinct because they are unrelated and that such is demonstrated because they are not disclosed as capable of use together and they have different modes of operation, different functions, and different effects.

The Examiner's position overlooks the fact that features of independent claim 1 of Group I are contained in independent claim 7 of Group II. Both of these independent claims are directed to processes in which a mixture containing methyl iodide and acetaldehyde are subjected to distillation, the density of the overhead from the distillation is measured, and a process variable associated with the distillation is adjusted in response to the density measurement. While claim 1 is directed to these steps in isolation, claim 7 is directed to these steps in the context of an acetic acid process in which a mixture containing methyl iodide and acetaldehyde is generated. Thus, the processes are disclosed as being capable of use together and have modes of operation, functions, and effects in common.

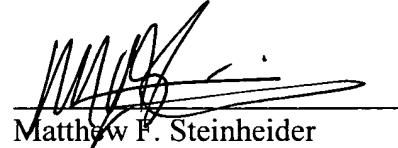
The Examiner also alleges that restriction is proper because the search required for Group I is not required for Group II. As indicated above, the process of independent claim 7 of Group II contains steps common to the process of independent claim 1 of Group I. Accordingly, Applicants respectfully disagree with Examiner's position regarding the scope of the searches required for the two Groups.

Applicants are not asserting that the steps of (1) reacting methanol with carbon monoxide in a reaction medium comprising water, methyl iodide, and methyl acetate in the presence of a catalyst and (2) separating the products of that reaction into a volatile product phase comprising acetic acid and a less volatile phase, in and of themselves, provide novelty. The Examiner's classification of the claims in Group II in subclass 548 (Producing Acetic Acid) of class 562 is based on these features. Accordingly, Applicants respectfully assert that the Examiner's restriction is not proper. *See MPEP 806.05(b).*

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested. Applicants respectfully submit that this reply is fully responsive to the Office Action in compliance with 37 C.F.R. § 1.121. Should the Examiner determine that this reply is insufficient, Applicants respectfully request prompt notification, so that any error or omission may be corrected.

It is believed that no extensions of time are required; however, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 01-2508 referencing docket number 10437.0074.NPUS01. A duplicate copy is enclosed.

Respectfully submitted,



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Dated: August 25, 2005

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